

REMARKS

Claims 1, 4-9, and 11-13 were considered and rejected in Final Office Action dated June 21, 2005 as being obvious over cited prior art.<sup>1</sup> An amendment (Amendment B) was filed in response to the Final Office Action. However, Amendment B was not entered, as indicated in the Advisory Action dated October 21, 2005. Amendment C is now being filed for consideration with an RCE.

By this paper, claims 1 and 9 have been amended and new claims 15-16 have been added, such that claims 1, 4-9, and 11-16 remain pending. Claims 1, 9 and 12 are the only independent claims at issue.<sup>2</sup>

As reflected in the claims listing above, the claims are generally directed to embodiments in which information stored at an information server is accessed and made retrievable using the Internet, wherein the location of the information is specified by address data stored at an address server which is connected to the Internet, and wherein the address data is associated with an identifier in the address server. The method recited in claim 1, for example, includes transmitting an identifier in a message from the address server to a mobile station using a short message based service. The mobile station retrieves the identifier from the message and uses it as an argument to a URL designating the address server. The address server then provides the information to the mobile station after receiving the information from an information server, and wherein the address server access the information through the information server by using the address data that the address server associates with the identifier that was received as an argument to the URL designating the address server.

The embodiment recited in claim 9 generally corresponds to the method recited in claim 1, except that claim 9 is a server system type claim that corresponds to the address server recited in claim 1. The only other independent claim at issue, claim 12, is a device type claim corresponding to the mobile station recited in claim 1.

In the Final Office Action, the claims were rejected in view of a combination of Tso and

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<sup>1</sup> The Office Action rejected claims 1, 4-9, and 11-13 under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,047,327 to Tso et al. in view of U.S. Patent Application No. 2001/0032254 by Hawkins.

<sup>2</sup> The amendments made to the independent claims and the new claims are supported by the disclosure in the specification, including, but not limited to the disclosure found on pages 9, 11 and 12.

Hawkins. This combination of references was required because it was acknowledged that "Tso does not explicitly disclose using the identifier as an argument to the URL when accessing the address server. Tso also does not explicitly disclose using said address data associated with the identifier at said address server to access said information server over the internet..." as generally claimed. (see Page 3 of the Office Action).

To compensate for the failings of Tso, the Office Action relies on Hawkins. However, for at least the following reasons, Applicants respectfully submit that Hawkins, alone and in combination with Tso, fails to disclose or suggest a method or system, wherein an identifier, which is associated with address data specifying the location of information, and which is received in an SMS message, is used as an argument to a URL designating the address server which accesses the information from an information server, as claimed.

With specific regard to the limitation regarding the inclusion of the identifier in the URL designating the address server, the rejection relies primarily on paragraphs [0378]-[0389] of Hawkins. This disclosure in Hawkins, however, fails to teach or suggest that an identifier is used as an argument in a URL that designates the address server or proxy server. Accordingly, even if the teachings of Hawkins and Tso are combined, their combined teachings still fail to make obvious the claimed invention, even if there was a motivation for combining their teachings, which there is not.<sup>3</sup>

3 "To establish a *prima facie* case of obviousness ... there must be some suggestion or motivation ... to combine reference teachings." MPEP § 2143. In determining if there is motivation to combine references, "[i]f proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification." MPEP § 2143.01. Applicant submits that it would not be obvious to modify the disclosure of the Tso patent based on the teachings of Hawkins because such a modification is contrary to the intended purpose, function and operation of the Tso patent.

The Tso patent states that small, often used data files are stored on server content database 51 to "reduce access time." Col. 5, lines 49. The Tso patent, however, also emphasizes the importance of saving bandwidth. For example, the Tso patent states that "[r]esource identifiers are especially useful in low-bandwidth implementations - such as the short message services provided by a cellular telephone network, e.g., network B 21, or a two-way paging system - as bandwidth is saved by transmitting only a small bit pattern resource identifier instead of a fully qualified URL for a resource or the resource itself." Col. 8, lines 5-10. It is inherent from the teachings of Tso that the reason why all data files that are not already stored on the infocast server must be obtained by the client directly accessing the content provider using a back channel that bypasses the infocast server is to maximize the conservation of bandwidth. That is, the Tso patent specifically discloses a system wherein small, frequently used data files can be quickly accessed because they are stored on the infocast server and because they only require minimal bandwidth. In turn, larger data files that would require significant bandwidth for the infocast server to transmit to the client are required under the Tso patent to be accessed directly by the client by bypassing the infocast server. As a result, the infocast server can concurrently service multiple clients while ensuring that one or more select clients do not overly monopolize bandwidth and thereby reduce access time for all clients and/or create other bandwidth problems. Under this system, the infocast server of the Tso patent never accesses a content provider over the internet in response to a client request.

In contrast, the section of the Hawkins patent cited by the Office Action discloses that in response to every request from a client, the corresponding server retrieves data from a web site and transmit the data directly back to the

Hawkins, is primarily directed to embodiments in which "indirect hyperlinking" is used to compress requests for hyperlinked documents by leaving out the actual web addresses of the hot links. [0378], [0381], [0385]. Instead of using the normal web addresses, special hyperlink tags are used as compact place holders for the hyperlinks in a document. [0379]. Then, when the client wants to access the hyperlinked data, the client includes the base document address as well as the hot link index in the request. [0382]. In particular, the "documents that are sent wirelessly to the wireless communications device 100 do not include URLs for each hyperlink. Instead, the formatted documents include tags that are placeholders for each hyperlink in the document. Consequently, when the user clicks on a hyperlink, the browser 104 cannot simply ask the proxy server 180 for that hyperlinked document directly. Instead, the browser 104 tells the proxy server 180 to fetch the n'th hyperlink of the current document." [0384].

Even if Hawkins indirect hyperlink tags are considered identifiers and even if Hawkins' proxy server is, *arguendo*, considered analogous to the claimed address server, Hawkins still fails to disclose or suggest that the identifier (tag) is used as an argument in a URL designating the address server (proxy server). Instead, Hawkins at most discloses that the client provides a request for a hyperlinked document by identifying the document from which the hyperlink is selected and by providing the abbreviated reference to the appropriate hyperlink tag within the document. This embodiment of Hawkins is contrasted with the claimed embodiments which require that the identifier be added as an argument to a URL designating the address server (proxy server).

In view of the foregoing, Applicants respectfully submit that all of the rejections of record are now moot. If for any reason the Examiner wishes to pursue the same grounds of rejection, as previously presented, Applicants respectfully request that the Examiner more specifically identify the passages in Hawkins that disclose or suggest that the identifier is used as an argument to a URL designating the address server or proxy server, such that the Applicants will have a fair opportunity

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client. Modifying Tso in accordance with Hawkins would require that in every request received by the infocast server from a client, the infocast server would be required to retrieve data directly from the web site and transmit it back to the client. Applicant respectfully submits that there is no motivation to make such a modification since such a modification would destroy the intended function, purpose, and operation of the Tso patent. Specifically, such a modification would enable one or more select clients to occupy substantial amounts of bandwidth and thereby decrease access time for all clients and/or potentially create other bandwidth problems. Furthermore, such a modification would destroy the intended operation of the Tso patent in that it would eliminate use of the back channel interface and storing information on the infocast server. In view of the foregoing, applicant respectfully submits that there is no motivation to modify the teachings of the Tso patent based on the teaching of the Hawkins patent.

to respond.

Although the foregoing remarks have been focused primarily on the independent claims, Applicants respectfully submit that the dependent claims are also distinguished from the art of record for at least the same reasons, such that it is not necessary to address each of the dependent claims and corresponding rejections to the dependent claims. Nevertheless, a few of the dependent claims will now be addressed to even further distinguish the present invention from the cited art of record.

New claim 15, for example, recites an embodiment in which the URI designating the address server is prestored, and wherein, upon retrieving the identifier, the mobile station automatically attaches the identifier to the prestored URI. This embodiment is clearly not suggested or disclosed by the combination of the cited art, particularly when considering that Hawkins corresponds to indirect hyperlinking of multiple hyperlinks in a webpage, such that it would not make sense to automatically include the hyperlink identifiers in the URL (even if the URL did designate the proxy)<sup>4</sup>. This is particularly true when it is undetermined which identifier or hyperlink tag will even be selected by the user.

New claim 16 recites an embodiment in which, the address server monitoring a predefined information location for information that is determined to be of relevance to a user, and wherein the message is generated by the address server upon identifying the information that is determined to be of relevance to the user. Although this embodiment is similar to claim 5, it is different. In particular, this embodiment clarifies that the message is generated in response to detecting information of relevance to a user.


The embodiment recited in claim 16 is also contrasted with embodiments in Tso, which specifies how InfoBites are generated irrespective of user relevance, and that the InfoBites are filtered, only after being generated, to decide which InfoBites pertain to a particular user. (Col. 13, ll. 35-64).

<sup>4</sup> As discussed above, the URI provided by Hawkins, if any, designates the webpage that the identifier corresponds to, not the Proxy itself.

For at least the foregoing reasons, Applicants respectfully submit that the pending claims 1, 4-9, and 11-16 are in condition for immediate allowance. In the event there remains any impediment to allowance of the claims which could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate such an interview with the undersigned.

Dated this 21 day of December 2005.

Respectfully submitted,



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